
Executive Summary

This Environmental Assessment (EA) evaluates the potential environmental impacts of the Department of the Navy's (Navy's) proposed action to dispose of approximately 8,435 acres of excess land at Naval Activity Puerto Rico (NAPR). The disposal of the NAPR property will be the responsibility of the Navy; redevelopment will be the responsibility of future owners of the property. The EA also evaluates the potential environmental impacts associated with reasonably foreseeable reuse and development of the disposed property to be accomplished by non-federal entities.

This EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality (CEQ) guidance implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and Department of Navy regulations implementing NEPA (32 CFR 775).

Background

Naval Station Roosevelt Roads (NSRR) was used by the Navy to support its activities in the Atlantic Ocean and Caribbean Sea. On September 30, 2003, pursuant to Public Law 108-87, the Navy was charged to close and dispose of NSRR. Accordingly, on March 31, 2004, NSRR ceased operations as a Naval Station and was re-designated as NAPR. The property is currently in caretaker status.

The Commonwealth of Puerto Rico (the Commonwealth) created a Local Redevelopment Authority (LRA) to oversee the planning process for future private development of NAPR. The LRA developed the *Naval Station Roosevelt Roads Reuse Plan* (CB Richard Ellis et al. December 2004).

Description of the Proposed Action

The proposed action evaluated in this EA is the disposal of 8,435 acres of excess federal land at NAPR. This EA addresses only the environmental impacts of disposal to non-federal interests. Properties totaling approximately 230 acres would remain in federal ownership; however, operational responsibility for these parcels would be transferred by the Navy to other federal entities. Therefore, these lands are excluded from analysis in this EA.

Although the proposed action is the disposal of the excess 8,435-acre property at NAPR, reuse and redevelopment of the property by third-party entities would follow the disposal of NAPR. Therefore, the Reuse Plan, which provides the most current information regarding reasonable future-use scenarios, once transfer of ownership of the property is completed, has been incorporated into the EA.

The Reuse Plan categorized the proposed redevelopment into four distinct phases. The impacts associated with the proposed reuse, as defined by Phases I and II, are considered indirect impacts of reuse of the predominantly existing infrastructure of NAPR. CEQ regulations (40 CFR 1508.8[b]) cite growth-inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate and related effects on air and water and other natural systems as examples of indirect impacts. The impacts associated with long-range future redevelopment (Phases III and IV) are based on expansion of the existing infrastructure at NAPR and unforeseen economic factors. This redevelopment and associated impacts are speculative at present and, therefore, are being considered as cumulative effects of the proposed action.

Alternatives

In accordance with CEQ regulations regarding the implementation of NEPA, the alternatives examined should include a range of reasonable alternatives, including the No-Action Alternative. Although the Navy's proposed action is disposal of the NAPR property, not its redevelopment, restrictions imposed on land use by the Navy may affect the long-term redevelopment potential for the property. Thus, the two alternatives contemplated for this document were (1) disposal with only those restrictions necessary to protect human health and the environment consistent with historical land use, and (2) dis-

posal with those restrictions necessary to protect human health and the environment consistent with land use contemplated by the LRA's Reuse Plan.

Because the Reuse Plan was developed while keeping the use of existing infrastructure and facilities in mind, the proposed reuse of the land is very similar to its historic uses before NSRR ceased operations. Moreover, since historic and proposed land uses are congruent, the restrictions that the Navy would need to institute would be nearly identical under both disposal alternatives. Consequently, these two action alternatives were combined into a single alternative for further evaluation and are referred to as the Preferred Alternative throughout the remainder of this EA. The Navy recognizes that presenting only one way of executing the Congressional direction to dispose of the NAPR property is unusual, but no other reasonable alternatives for disposal of NAPR are susceptible to meaningful analysis.

A No-Action Alternative was also considered in this EA and would entail placing NAPR in an inactive status but maintaining it for some potential future federal use. Implementation of the No-Action Alternative (i.e., the Navy does not dispose of the property) would not satisfy the legal requirement of Public Law 108-87; would not benefit the Navy in that it would retain ownership and liability for the property with no functional, operational, or strategic value; and would not benefit the local community in that any possibility of viable, productive use of the land would be removed. Consequently, the No-Action Alternative has not been deemed to be in accordance with federal law and the best interest of the public and, thus, will not be considered for further evaluation in this EA.

Preferred Alternative

The preferred alternative is the disposal of approximately 8,435 acres of the excess Navy property at NAPR. This disposal would be accomplished as a direct transfer of ownership subject to such restrictions on the property that are consistent with the historical use of the property, which would also be essentially consistent with the Reuse Plan. The Navy would conduct, or cause to be conducted, environmental cleanup of the property to a level consistent with its historic use and to be protective of human health and meet EPA's approval. Future landowners could expand the level of cleanup to allow for

different land uses; however, they would be responsible for this additional cleanup as well as coordination with, and approvals by, the appropriate regulatory agencies (EPA, Puerto Rico Environmental Quality Board [EQB], etc.).

The LRA, in conjunction with the Puerto Rico Planning Board (PRPB) is developing a Special Zoning Plan for NAPR. Upon its adoption, this plan would serve as the official zoning of the property. Any future development projects proposed on former NAPR property would be reviewed by the PRPB to ensure that such development is consistent with the Special Zoning Plan.

Environmental Impacts

The Navy developed distinct parcels for possible disposal actions. In general, the parcels followed the various zones within the Reuse Plan and consist of lands for public sale, lands being transferred to the Commonwealth of Puerto Rico, and areas not being disposed, but whose ownership responsibility is being transferred to another federal agency. The parceling process took into consideration the Reuse Plan and areas identified in the Environmental Condition of Property Report as requiring some form of environmental remediation. Another consideration in developing the various parcel boundaries was to retain cleanup responsibility with one entity, either the Navy or a new owner.

The cleanup of contaminated sites at NAPR is primarily managed under the corrective action portion of the current RCRA Part B permit issued by EPA Region II. The Navy has submitted an application for renewal of the Part B permit. Since base operations requiring the Part B permit are no longer in operation, only the corrective action portion of the permit remains applicable. It is anticipated that the EPA will choose to convert the regulation of corrective action requirements from this permit to a RCRA §7003 Administrative Order on Consent (§7003 Order) prior to property transfer. The Navy and EPA are currently negotiating how this issue will be resolved.

Prior to implementing the Proposed Action, a Memorandum of Agreement (MOA) between the Navy, the Puerto Rico State Historic Preservation Office (SHPO), and the Advisory Council on Historic Preservation, should they choose to participate, would be executed. The MOA would detail which archaeological sites at NAPR would undergo data recover and to what level. In addition, it would specify the level of docu-

mentation needed for respective historic structures or the consultation process needed to establish the level of recordation. Through the execution of a MOA, and by implementing the stipulations of the MOA, the Navy would meet their requirements under Section 106 of the NHPA.

A further consequence of the disposal of NAPR would be an increase in the private and commercial vessel traffic in the waters surrounding NAPR. Marine waters adjacent to NAPR support sensitive environmental resources such as essential fish habitat (e.g., coral reefs and sea grass beds) as well as threatened and endangered species, including sea turtles, the West Indian manatee, and the yellow-shouldered blackbird. Because of the speculative nature of the Reuse Plan, its full effects on listed species cannot be addressed. However, there are a number of conservation measures that Commonwealth and/or federal resource agencies could/may impose on non-federal owners/developers before development-specific approvals or permits are issued. Implementing these conservation measures would be the responsibility of the new owner/developer, and the respective issuing agency would be responsible for ensuring that these recommendations are instituted. The Navy would no longer retain any ownership or control of these properties.

In consultation with the U.S. Fish and Wildlife Service (USFWS), the Navy has developed parcel-specific conservation guidelines that list species-specific conservation recommendations for future land owners to consider. This EA identifies the conservation guidelines to be provided to new owner(s)/developer(s) to offset potential impacts. Accordingly, during Section 7 consultation pursuant to the Endangered Species Act (ESA), USFWS based their determination for “not likely to adversely affect” on future landowners/developers implementing conservation measures included in the Special Zoning Plan.

With the completion of a MOA under National Historic Preservation Act requirements and completion of Section 7 requirements under the ESA, implementing the Proposed Action would not result in a significant impact to the environment. This EA, while addressing the disposal action, does not preclude the potential need for future review of specific components of the Reuse Plan pursuant to federal and Commonwealth laws. All Puerto Rican entities must comply with relevant federal laws and the Commonwealth’s planning, zoning, and environmental laws and regulations.